REMARKS

This application has been carefully considered in connection with the Examiner's Office Action dated July 18, 2008. Reconsideration and allowance are respectfully requested in view of the following.

Summary of Rejections

Claims 1, 4-8, 11, 16 and 18-30 were pending at the time of the Office Action.

Claims 20-25 and 28 were rejected under 35 USC § 112.

Claims 16, 18 and 20-30 were rejected under 35 USC § 102.

Claims 1, 4-8, 11 and 19 were rejected under 35 USC § 103.

Summary of Response

Claims 1, 16, 20-25 and 28 are currently amended.

Claims 5 and 26 remain as originally submitted.

Claims 4, 6-8, 11, 18-19, 27 and 29-30 were previously presented.

Claims 2-3, 9-10, 12-15 and 17 have been previously canceled.

Remarks and Arguments are provided below.

Summary of Claims Pending

Claims 1, 4-8, 11, 16, and 18-30 are currently pending following this response.

Response to Rejections

Draper does not teach performing a calculation on at least a portion of data requested by an application to analyze a metric associated with the application, and then format the analyzed portion of the requested data. Draper also does not teach formatting the requested data based upon formatting described in the information service layer script and further formatting the requested data according to the information command layer script. It is vital in a large corporate enterprise to have management and operations information available in a timely and cost effective manner. The information may be useful in calculating costs as a function of the level of performance rather than just the cost of operating. These and other calculations may be valuable to managers and executives making business decisions for the enterprise. However, in a large corporate enterprise, management and operations information may be spread across multiple unrelated computer systems, and if the computer systems are incompatible with one another this information may not be available or may not be available in a timely fashion or may not be available in a cost effective manner.

Thus, the pending application discloses systems and methods that provide translation/transformation of data, such as messaging data, which is collected by a distributed management system, for collection, consolidation, processing, and analysis. This data may be stored in a plurality of databases and may be accessed by a service layer by using an information service layer (ISL) script. The ISL script may search through diverse databases, extract desired data, and format the desired data in a usable format. For example, the ISL script may wrap the extracted data in tags, such as a document type definition (DTD) tag. This allows data that may come from diverse sources to be understood and used for analysis together.

An information command layer (ICL) script comprises embedded instructions or logic that may be used to manipulate the data that has been retrieved from the one or more databases and formatted by the ISL script. This data manipulation may, in some embodiments, provide instructions to parse, add, subtract, or manipulate the data from one or more diverse databases. The ICL script may be provided as an input parameter through the API by an application or be stored locally on the ICL. Since the ICL script is not hard coded, different ICL scripts can be used to easily perform different types of analysis. Moreover, a writer component is also disclosed that further formats the analyzed data into a format appropriate for the application that requested the data.

Draper is directed to techniques for encapsulating a query definition. In particular, Draper teaches an XML document representing a query definition including a query specification, a data source identifier, and optionally, results transform. However, Draper does not teach performing a calculation on at least a portion of data requested by an application to analyze a metric associated with the application, and then formatting the analyzed portion of the requested data. Draper also does not teach formatting the requested data based upon formatting described in the information service layer script and further formatting the requested data according to the information command layer script.

These distinctions, as well as others, will be discussed in greater detail in the analysis of the present claims that follows.

Applicant Initiated Interview

Applicants thank Examiner Higa for his time and consideration of the proposed claim amendments and arguments presented in the in-person interview conducted on September 16, 2008. In the interview the application and proposed claim amendments were discussed. Examiner Higa indicated that the proposed amendments may overcome the current rejection, but further consideration of the applied art and/or a new search may be required upon receiving this response. In the interest of advancing prosecution Applicants have amended the claims as discussed in the interview.

Response to Rejections under Section 112

In the Office Action dated July 18, 2008, claims 20-25 and 28 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regard to claims 20-25, the Office Action states that claims 20-25 are indefinite since it is unclear what “the script” in claim 20 is referring to with respect to claim 16 (i.e. “information service layer script”, “information command layer script”, or the “verification script”). Applicants amend claims 20-25 to recite “information command layer script." Based on the foregoing Applicants respectfully request the rejection be withdrawn.

In regard to claim 28, the Office Action states that the limitation "an analyzer that the response document from the data receiver" in line 10 is indefinite. Applicants amend claim 28 to recite, "an analyzer that analyzes the response document from the data receiver." Based on the foregoing Applicants respectfully request the rejection be withdrawn.

In regard to claim 28, the Office Action states that the limitation "wherein the second script executes the logic or instructions embedded in the second script on the response document" is indefinite. As best understood, a script is nothing more than computer code that requires a processor to actually perform any "execution" of the script, thus it is unclear how a computer code (i.e. a second script) can autonomously "execute" itself (see "instructions embedded in the second script") on a response document." Applicants amend claim 28 to recite, "an analyzer that receives the response document from the data receiver and the analyzer analyzes the response document from the data receiver based on logic or instructions embedded in a second script received from the application programmable interface, and wherein the analyzer executes the logic or instructions embedded in the second script on the response document to analyze a metric associated with the application, and the analyzer creates an output document." Based on the foregoing Applicants respectfully request the rejection be withdrawn.

Response to Rejections under Section 102

Claim 16:

In the Office Action dated July 18, 2008, claim 16 was rejected under 35 USC § 102(e) as being anticipated by Draper et al., U.S. Patent No. 7,152,062 ("Draper").

I. Draper does not teach performing a calculation on at least a portion of data requested by an application to analyze a metric associated with the application, and then format the analyzed portion of the requested data.

Claim 16 has been amended to clarify that the analyzer analyzes a metric associated with the application requesting the data. Claim 16 now recites, "processing the at least a portion of the requested data received from the information service layer according to an information command layer script ... performing a calculation on the at least a portion of the requested data based upon the embedded instructions to analyze a metric associated with the application; and formatting the analyzed portion of the requested data based on a desired format." Applicants submit that the no new matter has been added and support for the amendment may be found at least in paragraphs [0069]-[0071].

Draper is directed to techniques for encapsulating a query definition. (Draper Title). In particular, Draper teaches an XML document representing a query definition including a query specification, a data source identifier, and optionally, results transform. (Draper Col. 4, lines 39-41). Draper also teaches a user interface that enables a user to select one of the available XML documents, and select a value for each parameter. (Draper Col. 5, lines 29-38). An API sends the query text with the parameters values to the identified data source, and a query engine coordinates with the data source to execute the query request. (Draper Col. 5, lines 62-67 to Col. 6, lines 1-2). The query results are generated and the query engine sends the results to the client. (Draper Col. 6, lines 2-3). When the results are received by the client, the API uses the results transform in the XML document to format the results before returning the results to the application program. (Draper Col. 6, lines 4-10).

Applicants submit that Draper does not teach performing a calculation on at least a portion of data requested by an application to analyze a metric associated with the application, and then format the analyzed portion of the requested data. Draper teaches that an API receives and stores query results, and the API retrieves the results transform from the XML document. The API applies the results transform to the query results. (Draper Col. 21, lines 65-67 to Col. 22, lines 1-7). Thus, Draper appears to teach that the XML document does not perform a calculation on the query results and analyze the query results before transforming the query results. Accordingly, Draper does not teach or suggest performing a calculation on at least a portion of data requested by an application to analyze a metric associated with the application, and then format the analyzed portion of the requested data, as claimed.

II. Draper does not teach formatting the requested data based upon formatting described in the information service layer script and further formatting the requested data according to the information command layer script.

Claim 16 recites, "receiving at least a portion of the requested data from the information service layer, wherein the at least a portion of the requested data is formatted according to the information service layer script ... performing a calculation on the at least a portion of the requested data based upon the embedded instructions to analyze a metric associated with the application; and formatting the analyzed portion of the requested data based on a desired format."

Draper also does not teach formatting the requested data based upon formatting described in the information service layer script and further formatting the requested data according to the information command layer script. Draper teaches that API receives and stores query results, and the API retrieves the results transform from the XML document. The API applies the results transform to the query results. (Draper Col. 21, lines 65-67 to Col. 22, lines 1-7). Draper also teaches that the results transform is applied to query results to transform the results into a canonical format and to specify various display attributes. (Draper Col. 4, lines 54-59). Thus, Applicants submit that the results transform may transform the results according to other attributes (*i.e.,* display attributes such as color) besides the data format, but the results transform is only applied once to the query results. Draper does not teach receiving a response in a format according to the information service layer script, analyzing at least a portion of the response, and then formatting the analyzed portion based on a desired format, as claimed.

For at least the reasons established above in sections I and II, Applicants respectfully submit that independent claim 16 is not anticipated by Draper and respectfully request allowance of this claim.

Claims Depending from Claim 16:

Claims 18 and 20-27 were rejected under 35 USC § 102(e) as being anticipated by Draper.

Dependent claims 18 and 20-27 depend directly or indirectly from independent claim 16 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in sections I and II above, Applicants respectfully submit that claims 18 and 20-27 are not anticipated by Draper and respectfully request allowance of these claims.

Claim 28:

Claim 28 was rejected under 35 USC § 102(e) as being anticipated by Draper.

Claim 28 includes limitations substantially similar to the limitations discussed in section I above. For example, claim 28 recites, "an analyzer that receives the response document from the data receiver and the analyzer analyzes the response document from the data receiver ... to analyze a metric associated with the application, and the analyzer creates an output document; a writer that receives the output document and formats the output document into an output formatted document." Accordingly, for at least the reasons established above in sections I and II, Applicants respectfully submit that independent claim 28 is not anticipated by Draper and respectfully request allowance of this claim.

Claims Depending from Claim 28

Claims 29-30 were rejected under 35 USC § 102(e) as being anticipated by Draper.

Dependent claims 29-30 depend directly or indirectly from independent claim 28 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in sections I and II above, Applicants respectfully submit that claims 29-30 are not anticipated by Draper and respectfully request allowance of these claims.

Response to Rejections under Section 103

Claim 1:

Claim 1 was rejected under 35 USC § 103(a) as being unpatentable over Draper in view of Fabybishenko et al., U.S. Patent 6,934,702 ("Fabybishenko").

Claim 1 includes limitations substantially similar to the limitations discussed in sections I and II above. For example, claim 1 recites, "an analyzer that receives the response from the receiver component, and the analyzer analyzes the at least a portion of the requested data … to analyze~~s~~ a metric associated with the application based on the at least a portion of the requested data, and the analyzer creates an analyzed portion of the response." Accordingly, for at least the reasons established above in sections I and II, Applicants respectfully submit that independent claim 1 is not anticipated by Draper and respectfully request allowance of this claim.

Further, Applicants submit that Fabybishenko does not cure the deficiencies of Draper.

Claims which Depend from Claim 1:

Claims 6-8 and 11 were rejected under 35 USC § 103(a) as being unpatentable over Draper in view of Fabybishenko.

Claims 4-5 were rejected under 35 USC § 103(a) as being unpatentable over Draper in view of Fabybishenko and further in view of Zarb, U.S. Patent Pub. 2004/0039619 ("Zarb").

Dependent claims 4-8 and 11 depend directly or indirectly from independent claim 1 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in sections I and II above, Applicants respectfully submit that claims 4-8 and 11 are not taught or suggested by Draper in view of Fabybishenko and respectfully request allowance of these claims. Further, Applicants submit Zarb does not cure the deficiencies of Draper in view of Fabybishenko.

Conclusion

Applicants respectfully submit that the pending disclosure is in condition for allowance for the reasons stated above. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2288.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 21-0765, Sprint.

Respectfully submitted,

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